

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UN4 Productions, Inc.,

Plaintiff,

v.

DOES 1-13,

Defendants.

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Case No. 4:17-cv-1834

NOTICE OF DISMISSAL OF DEFENDANT DOE 5

Pursuant to FED. R. CIV. P. 41(a)(1)(i), Plaintiff files this notice of dismissal of Doe 5.

1. Plaintiff is UN4 Productions, LLC. On June 15, 2017, Plaintiff filed suit against several defendants.

2. Plaintiff moves to dismiss the suit against Doe 5.

3. Doe 5 has not been served with the Complaint in this action. Doe 5 has neither answered nor moved for summary judgment.

4. This case is not a class action under FED. R. CIV. P. 23, a derivative action under Rule 23.1 or an action related to an unincorporated association under Rule 23.2.

5. A receiver has not been appointed in this case.

6. This case is not governed by any federal statute that requires a court order for dismissal or the case. Nevertheless, Plaintiff is contemporaneously submitting a proposed order for dismissal.

7. Doe 5 has agreed to take steps to prevent use of the internet account for any alleged infringing activity by putting a password on the WiFi and discussing appropriate internet usage with any users of the of the IP Subscriber's WiFi.

8. Doe 5 has confirmed that no unauthorized copies or parts thereof of Plaintiff's Motion Picture are in Doe 5's possession or subject to Doe 5's control.

9. Doe 5 has paid Plaintiff a monetary sum.

10. Doe 5 has agreed that each Party shall be responsible for their own fees and costs.

11. The dismissal of Doe 5 is WITH PREJUDICE.

Dated: October 4, 2017

Respectfully submitted,
s/ Gary J. Fischman
Gary J. Fischman – Attorney in Charge

Tex. State Bar No. 787469
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UN4 Productions, LLC

CERTIFICATE OF SERVICE

As the true identities of the defendants are unknown, service is not possible.

s/Gary J. Fischman
Gary J. Fischman